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SUBJECT: President Tandja Dissolves National Assembly

¶1. (SBU) On May 26, President Tandja signed a decree to dissolve the National Assembly. Although disturbing, the move is not entirely a surprise. President Tandja has suffered a series of recent setbacks. On May 18, an ECOWAS advisory body urged him to not seek a new constitution, and warned him about possible economic sanctions if he continued with the referendum (septel). On May 23, the Constitutional Court issued an unfavorable opinion against President Tandja's proposal to have a constitutional referendum (septel).

Tandja Strikes First, Facing Mounting Pressure

¶2. (SBU) On May 25, the National Assembly set up a committee of 15 to analyze President Tandja's proposal to hold a constitutional referendum to delete presidential term limits. Given President Tandja's dissolution of the National Assembly, it is now not clear what role, if any, this committee will play. President Tandja does not have majority backing in the National Assembly; his party, the MNSD (National Movement for a Society of Development), has only 48 deputies out of 113. Thus, it would have been difficult for him to gain the necessary 4/5 vote of parliamentarians necessary for a referendum bid to gain approval. Additionally, in light of the ruling made by the Constitutional Court on May 23, if President Tandja had continued to press for a referendum, the National Assembly could have leveled a motion of censure.

What's His Next Move?

¶3. (SBU) According to Article 48 of the Constitution, President Tandja can dissolve the National Assembly after consultations with the Prime Minister and the President of the National Assembly. It is too early to know whether President Tandja did in fact seek the advice of these two officials. Nevertheless, according to Article 48, elections for a new National Assembly must take place within 45-90 days of the dissolving of the parliament. If President Tandja is to follow the Constitution, he will have to set up these new elections in the near future.

Comment

¶4. (SBU) President Tandja's decision to dissolve the National Assembly is not entirely surprising. It comes as divisions widen between "pro-Tazartche" and "anti-Tazartche" (Note: Hausa for "let it continue." End note.) This move allows President Tandja to buy

time, and pursue a mechanism that allows him to stay in power. End comment.

¶5. (U) Minimize considered.

Allen